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Book and Job Printing

EXECUTED WITH NEATNESS AND DESPATCH.

Secretary Walker's Report.

The Secretary of the Treasury has recently, in pursuance of a resolution of the Senate, submitted a very able report upon the subject of the tariff of 1842, with a view of demonstrating the actual amount which the people are obliged to pay for the benefit of the protected classes, or in other words, to show how enormously the producer is taxed to enrich the manufacturer. In his report to Congress, of the 3rd of December last, he maintained the positions that,

"At least two thirds of the taxes imposed by the present tariff are paid, not into the Treasury, but to the protected classes. The revenue from imports last year, exceeded twenty-seven millions of dollars. This, in itself, is a heavy tax; but the whole tax imposed upon the people by the present tariff is not less than eighty-one millions of dollars, of which twenty-seven millions are paid to the Government upon the imports, and fifty-four millions to the protected classes, in enhanced prices of similar domestic articles.

This estimate is based upon the position that the duty is added to the price of the import, and also of its domestic rival. If the import is enhanced in price by the duty, so must be the domestic rival; for, being like articles, the price must be the same in the same market. The merchant advances in cash the duty on the import, and adds the duty, with a profit upon it, and other charges, to the price—which must therefore be enhanced to that extent."

"The occasional fall in price of some articles after a tariff, is no proof that this was the effect of the tariff; because, from improved machinery, diminished prices of the raw material, or other causes, prices may fall after a tariff, but they would in such cases have fallen much more but for the tariff. The truest comparison is between the present price of the same article at home and abroad; and to the extent that the price is lower in the foreign market than in our own, the duty, if equal to that difference, must to that extent enhance the price, and in the same ratio with the lower duty. The difference in price, at home or abroad, is generally about equal to the difference in the cost of production, and presents, in a series of years, the surest measure of the effect of the duty—the enhancement in price being equal to that difference, if the duty be higher than that difference, or equal to it, or if the duty be lower, then the enhancement is equal to the duty; and if the article is produced like cotton, more cheaply here than abroad, the duty is inoperative. The great argument for the tariff is, that foreign labor being cheaper than our own, the cost of foreign productions is said, is lessened to that extent; and that we must make up this difference by an equivalent duty, and a corresponding enhancement of price in our own market, both of the foreign article and its rival domestic product—thus rendering the duty a tax on all consumers for the benefit of the protected classes."

In the present report the Secretary goes into a careful investigation of facts, which, in this instance, surely, are stubborn things. Our limits will not permit us to publish the report at length, or the valuable tables annexed thereto. But we cannot forbear making copious extracts, which will throw a flood of light upon a very important subject. And here, we cheerfully bear testimony to the indefatigable industry and fidelity of Mr. Walker, in his investigations on this subject, as well as to his extreme care to be accurate in his facts. A few days since Mr. Evans undertook to expose, in the Senate, an important error, as he alleged, in the facts of the Secretary, and it was seized upon with avidity, by the opposition press, and trumpeted by the protectionists from Maine to Texas. But the error proved to be "a mare's nest," and Mr. Evans publicly admitted that it was himself, and not the Secretary, who had committed an error. But do these truth loving and exclusive friends of the laborer, who gave currency to the discoveries of Mr. Evans, inform their readers of the mistake of their Senator? Oh no—this would not answer their disinterested purpose. The Secretary says:

"The table marked A, contains a statement of most of the principal articles protected by the tariff of 1842.

It will be perceived, that upon these articles alone, the tax paid by the people of the United States, in enhanced prices of the domestic articles similar to those on which the present duties are imposed, is \$75,784,405.

This table only embraces the following sixteen articles, namely: iron and the manufactures thereof; the manufactures of tobacco, cotton, wool and leather; coal, salt, sugar, molasses, glass, paper, cordage, cotton bagging, hats and caps, straw hats, bonnets and braid, and earthen ware.

The total amount of these articles produced in the United States, by the tables, is \$331,198,359; upon which, if the enhanced price be equal to the duty, the tax on these articles upon the people of the United States, imposed by the tariff would be \$119,770,598. It was never assumed, by this department, that the tax was equal to the duty; but, on the contrary, that the true measure of the tax was the difference arising from the duty, between the price of the foreign and domestic articles in the market as quoted from my annual report.

On reference to the table A, it would appear that in no instance is the enhancement of price equal to the duty. The case of cotton bagging is not an exception, and the comparison being made with gunny cloth, which, but for the duty, would be largely used as a substitute for the article generally designated as cotton bagging.

The gross revenue raised by the duties on these articles, in 1845, was \$18,336,452, and deducting the expenses of collection, the net revenue was \$17,032,289; and the total tax, both on the imports and domestic articles, in order to bring this last mentioned sum into the treasury was \$94,120,857. Thus, to bring a net revenue of \$17,032,289 into the treasury, there was imposed, by the tariff of 1842, a tax of \$94,120,857 upon the people of the United States, of which \$18,336,452 was gross revenue and the remainder, \$75,784,405, constituted the enhanced price of these protected domestic articles."

Other facts are also given, and it is then remarked:

"Such are the facts, but the theory is advanced, that, by the domestic competition created by high duties, the price of our own articles are ultimately brought down to that of the foreign. Now, no article can be permanently produced, so as to be sold in any country, for any length of time, below the actual cost of the production of such article in that country. Thus, if we take the article of sugar produced from the cane, which is a tropical plant, the cost of producing it in a climate where there is at least some winter and frost, situate nearly seven degrees north of the tropic, the season and the laws of nature forbid that any duty, however high, or any competition, however great, can bring down the cost of production to the cost of producing the same article in a tropical climate. Thus, ever since the acquisition of Louisiana, sugar has been subjected to a duty nearly always equal, and for many years higher, than the present rate; and yet the relative difference between the price of the foreign and domestic article, and of the cost of production, is nearly as great as it was when the high duty commenced half a century since.

The citizen of Key West now purchases our own or foreign sugar there at a price of nearly 5 cents a pound. In six hours he reaches Havana, and there purchases a similar article at nearly one half the price, and nothing but the duty can occasion the difference of price.

An American citizen crosses the river from Detroit to Canada, and purchases there, separated only by half a mile from the American shore, similar articles at one quarter less than the price at Detroit. Nothing but the duties can occasion this difference, otherwise the price would be the same at both places.

We have had a protective and quasi protective tariff from 1789 to the present period, with a short interval of a few years; and yet this alleged domestic competition, occasioned by protective duties, is nearly as far removed from reducing the price of the great mass of the protected articles to the foreign price, as it was when the system commenced. The truth is, that, from a great variety of causes, natural and artificial, the cost of production varies from one to many per cent in different countries, and no legislative enactments can change the soil, climate or seasons, or reverse all existing circumstances, so as to equalize the cost of producing all articles in all countries. Competition, therefore, cannot produce this result, and even if it ultimately could, the system of taxation is going on, and one generation is being subjected to heavy burdens, in the hope that another, or still more remote generation, at some distant period of years or centuries, may be enabled to get the domestic article at the same price as if there were no duties. But this theory seems to overlook the fact that competition and a struggle for the trade of the world are going on in all other countries, and that this very competition, striving to overcome protective duties, is producing, perhaps, nearly the same rate of reduction abroad as the domestic competition at home, leaving the difference just as great as when the process commenced.

But in the mean time the system of duties has been going on—taxing one class for the benefit of another, and greatly reducing the entire mass of the national wealth, by having drawn so large an amount of capital from its natural channels into artificial pursuits, for which the country was either not prepared, or its soil and climate unsuited. The true measure of the progress of a nation's wealth is the progressive profit of all its industry, and the aggregate of all this profit must be reduced by restricting its commerce, reducing its exports, forcing its capital by legislation into otherwise unproductive pursuits, thus taxing one portion of the people for the benefit of another, being a legislative transfer of money from one class to another, and not a creation of wealth or addition to it.

As illustrative of the difference between free trade and high duties, it is proved, that in the absence of any tariff, agricultural products are dearer in Oregon than with us, whilst a vast number of articles that have performed the circuit of the globe, around the Cape of Good Hope or Cape Horn, notwithstanding the heavy freight, are much lower there than with us. Thus, in a very late history of Oregon by Geo. Wilkes, it is stated that "woollen goods and ready made clothing, being introduced here without duty, (as it is considered an English port,) are greatly cheaper than with us." "A very good strong quality of blue broad cloth, six-quarters wide, can be had for \$1 25 per yard." "All articles of cutlery are also cheap for the same reason as above." "Chains, tools and farming implements are very reasonable." Such is the present condition of things in Oregon; and it would be a fact worthy of consideration, to note the difference of price and its extent, in regard to protected articles, if the tariff of 1842 shall be extended to that interesting portion of our common country. It is easy, however, to foretell, that on nearly all our protected articles, there would be a rise in the price nearly equal to the duties; thus establishing by an example in point, and by actual results, the enhancement in price occasioned by such duties."

Then, after calling attention to the imperfect returns in the census of 1840, which makes the argument of the Secretary much stronger, and explaining the addition tables annexed to his report, he adds:

"These facts, tables, and prices current, with the statistical statements and official returns, furnish, it is believed, satisfactory evidence that this department is sustained in estimating the tax imposed upon the American people, at a sum at least as large as above stated. So vast an amount of tax, when collected, even for the use of the government, and expended among them for useful purposes, would be sufficiently grievous; but the effect is far more ruinous and oppressive upon the great body of the people, who pay this vast sum not into the treasury, nor to the government, nor for public purposes, but to the protected classes in enhanced prices of their products."

And yet in view of all this, the stereotyped cry is unremittingly kept up, "protection, protection to American labor." The Whigs never tell us how much the majority of the community are taxed to fill the coffers of the rest. In their eyes, it is no matter how much the consumer is obliged to pay, to enrich the manufacturer. The latter must be protected at all events, no matter at whose expense. But those who are obliged to bear the burdens, would like to know how long it will be before the country will reach the summit of its wealth and glory, by abstracting money from one set of men, and place it in the pockets of another! Or, how fast will a man's wealth accumulate, by simply changing it from one pocket to the other? And yet this is the effect of the boasted protective system. Appropos to this point the report continues:

"Wealth may be transferred, but not created by legislation. It is labor only that creates all wealth; and the operation of the tariff adds nothing to the aggregate wealth of the country, because it does not increase the labor. It only transfers its profits from one class to another, and the enhancement in the price on one hand is met by a corresponding reduction on the other. Like action and reaction, or the meeting of two equal forces in mechanics, the results are neutralized, and the aggregate price is left unchanged. This is not only founded upon the best settled principles of political economy and of sound reasoning, but is confirmed by experience throughout the world. The evidence attached to the treasury report clearly establishes, by numerous witnesses, the following positions:—

1st. That the profits of agriculture unprotected are less than one half the average profits of manufactures.

2d. That the price of agricultural products, and the profits of agriculture, have fallen very

much since the tariff of 1842, compared with the profits and prices of manufactures.

3d. That the profits of manufactures have greatly augmented since the tariff of 1842; whilst the price of labor may have appeared to augment in particular places, it has fallen in others, and the result could not be otherwise; for if the profits of three fourths of the people raising the unprotected articles are reduced by the tariff to an extent equal in the aggregate to the augmentation of prices and profits accruing to the protected class, the result throughout the Union, so far as the price of labor is concerned, depending upon its profits, would at least be equalized, if, indeed, it were not reduced by the fact that three fourths of the products of American labor is unprotected, as well as three fourths of the people by whom the unprotected articles are produced."

Who then, in conclusion, we ask, are the real friends of the American laborer? Who is it that is looking after the interests of the agriculturalists of the country? How long are we to be humbugged by the cry that the Democracy are making war upon domestic industry? We trust not forever. "Faith in man," the cardinal principle of democracy, forbids not a doubt, that truth will ultimately triumph over error, though its progress may be momentarily arrested in overcoming obstacles which selfishness and purse-proud bigotry may interpose. If there is anything in the progressive spirit of the age, it will work out ere long a triumph worthy to be perpetuated in all coming time.—[Argus.]

REMARKS OF

Hon. George M. Dallas,

V. P. OF THE U. S.

On giving the casting vote in the U. S. Senate, July 28, 1846, on the passage of the Tariff Bill to be engrossed.

The Senate being equally divided on this important question, I may be indulged in briefly stating the principal reasons for the vote I am required by the constitution to give.

Excluded from any participation in forming or modifying the bill, I am bound to sanction or condemn it exactly in the shape in which it stands. The responsibility is deeply felt. It belongs, however, to the office assigned me by my fellow citizens, and will be assumed with frankness, and I hope, not unbecomingly firmness. The consequences of my decision either way may seriously affect the country. No one can entertain, as to that, a profounder solicitude. But after summoning to my aid the best purposes and best lights that I can command, the consequences, be what they may, must be hazarded.

The system for obtaining the revenue necessary to support their government is established, directly or indirectly, by the people of the United States, within the limits, and agreeably to the prescribed forms of the constitution. Whatever is ascertained to be their will on the subject, all should undoubtedly acquiesce in. That there are known and approved modes by which their will is expressed, cannot be questioned; and the public officer who reads that will with candor and integrity, may feel assured that he conforms to the institutions of his country when he makes it the guide of his conduct.

To my mind ample proof has been furnished that a majority of the people and of the States desire to change, to a certain extent, in principle, if not fundamentally, the system heretofore pursued in assessing the duties on foreign imports. That majority has manifested itself in various ways, and is attested by its representatives in the other house of Congress, by whom this bill has been approved, and whose votes undeniably indicate the popular sense in the large proportion of eighteen out of the twenty eight States. In this Senate an analysis of the vote before me discloses that while six States (Ohio, Virginia, New Hampshire, Georgia, Michigan, and Maine,) are equally divided, eleven (Louisiana, Pennsylvania, Delaware, Kentucky, Massachusetts, New Jersey, Rhode Island, Connecticut, Maryland, North Carolina, and Vermont,) are against, and eleven (Arkansas, Missouri, Alabama, Illinois, Indiana, South Carolina, Mississippi, New York, Texas, Tennessee, and Florida,) are for the change. Peculiarly situated as I am in my relation to the national legislature, these impressive facts cannot be overlooked. In a case free from constitutional objection, I could not justifiably counteract, by a sort of official veto, the general will.

The struggle to exert without abatement the constitutional power of taxation in such a manner as to protect by high duties on imports many of the productions of our own soil and labor from the competition of other countries, has endured for more than thirty years. During that period a system of high taxation has prevailed, with fluctuations of success and failure. It is as vigorously and as exactly insisted upon now as ever; and indeed it would seem, in some instances, as if the longer the advan-

age of a particular tax was enjoyed, the stronger became the desire for its continuance, and even its augmentation. And yet it ought to be remembered that this exercise of the taxing power, by which the great mass of consumers are made to swell the profits of a few branches of industry, was originally intended to be temporary, to be continued only so long as its continuance was necessary to the industrial independence and safety of the whole people. Such was the language, the intonation, the spirit, in which it was proposed and justified by its earliest and wisest friends. The design was to foster feeble "infant" manufactures, especially such as were essential to the defence of the country in time of war. In this design the people have persevered until, with some, but not weighty exceptions, these saplings have taken deep root, have become vigorous, expanded and powerful, and are prepared to share the common lot of human pursuits, and to enter with confidence the field of free, fair, and universal competition.

The arrival of this period of time, long promised, has been anxiously looked for by a large and justly respected portion of our fellow citizens, who deemed themselves peculiar and almost exclusive sufferers by the policy of protection. They have sometimes—perhaps imprudently—endeavored to anticipate it. Their numbers, at first entitled to influence only from their patriotism and intelligence, have gone on gradually increasing as the system ripened to its fruit, and they now constitute what I am bound by registered facts to regard as a decided majority of the people of the Union.

It is undoubtedly true that this change of financial arrangement, brought about by public opinion, "which everywhere ought to guide and influence statesmen," should, nevertheless, be characterized by moderation, nay, by scrupulous tenderness for those interests of our fellow citizens that are to be affected by it. The legislation which encouraged their investments, their educational training, or their habits, should cease, finally and firmly, if required, but still soothingly and gently; and hence I may be pardoned for expressing a regret that certain provisions which, in their bearing seem to me trenchant and sudden beyond the calls of the occasion, have been allowed to remain as parts of this bill.

Were it in my power to except those provisions from the operation of my vote, I would do so; but viewed as a whole, as a measure to accommodate a vast and intricate subject to the prevailing sentiment of the American people, to reduce the burdens artificially imposed upon the laboring and productive masses, and to reconcile diminished restriction of trade with increased contributions from it, I cannot resist the impression that the bill is more equal; more tempered, and more just than the act of 1842, which it supersedes. That it deals with some pursuits and resources of my native commonwealth less kindly than she might well expect, does not tell me from my duty, but only makes its performance personally reluctant and painful.

In aid of these considerations, adequate, perhaps, in themselves to control my vote, there is another which, I am free to confess, nothing but an unforseen, sheer, and public necessity could ever induce me to forego or forget. In strict concord with the letter and spirit of the constitution, the Vice President of the United States, now called upon to act, is the direct agent and representative of the whole people.

In advance, and dependent upon contingent results, it is perfectly competent to this, his national constituency, to give instructions, and to receive pledges for their execution. On this identical subject of a tariff of duties on imports, whatever may have been the course of local and casual inconsistency, my own honor can admit of no disclaimer of instructions that were formally announced, and my own good faith stands inviolable to a pledge voluntarily given. If by thus acting, it be my misfortune to offend any portion of those who honored me with their suffrages, I have only to say to them, and to my whole country, that I prefer the deepest obscurity of private life, with an unimpaired conscience, to the glare of official eminence; spotted by a sense of moral delinquency."

Legislative Synopsis.

FRIDAY, JULY 31.

IN SENATE—Bill additional to the 15th chapter of the Revised Statutes (Militia Bill) came from the House, that body adhering to its vote passing the same to be engrossed as amended. On motion of Mr. Thompson, the Senate adhered to its vote passing the same to be engrossed without amendment.

Bill in relation to the competency of witnesses in certain cases, came from the House amended, indefinitely postponed. The Senate refused to concur in the amendment. Mr. Allen proposed to amend by striking out the enacting clause, and insert a new bill which provides that no person shall be adjudged an incompetent witness, in any court in this State, or in the course of judicial proceedings, on account of his opinions in matters of religion; nor shall such opinions be made the subjects of investi-

gation or inquiry. The amendment was adopted. Mr. Allen then spoke in defence of the principle embraced in the amendment. The bill then passed to be engrossed as amended.

Bill additional in relation to banks and banking, came up on its passage to be engrossed. Mr. Jackson proposed to amend the 5th Sec. Resolved making an appropriation for the erection of a gun house in Livermore, was referred to a committee on the militia.

Mr. Allen from the committee on the judiciary, to which was referred the petition of G. W. Plummer et al, reported a bill to incorporate the Waterford Mutual Fire Insurance Company, which was once read and this afternoon assigned.

Passed to be engrossed—Bills, to appropriate and assess a tax on the inhabitants of this State for 1847—regulate the time of pleading certain pleas in real actions—in addition to an act respecting pounds and impounding beasts.

Mr. Perry, by leave, laid on the table, a Bill to repeal an act to organize, govern, and discipline the militia. Read twice, and on motion of Mr. Allen, laid on the table.

IN THE HOUSE. Mr. Chadwick of Portland, from the committee on finance, reported a resolve to authorize the treasurer of State to invest a portion of the money now in the treasury in some safe and productive securities, which was read and tomorrow assigned.

IN SENATE.

SATURDAY, Aug. 1

Bill to repeal "an act organize, discipline and govern the militia," approved March 22, 1844 was read a second time, amended so as to repeal all laws upon the subject, and then refused a passage—yeas 1, nays 23.

IN THE HOUSE. Resolve providing for a census of the deaf and dumb in this State was read. Mr. Barnes said the Asylum at Hartford was sufficient for New England, and such would be the conclusion of the Legislature after the expense of a census should be incurred. On his motion, the resolve was referred to the next Legislature.

IN SENATE.

MONDAY, Aug. 3.

Resolve respecting the deaf and dumb in this State, came from the House referred to the next Legislature. On motion of Mr. Perry, the Senate insisted on its vote passing the same to be engrossed, and appointed Messrs Perry, Porter of Cumberland, and Barnes, conferees.

Resolve in favor of Moses Hammond was recommended in concurrence.

Mr. Allen, from the conferees on the disagreeing votes of the two Houses on the Bill authorizing School Districts to borrow money for certain purposes, reported that the conferees had agreed on a Bill in a new draft. The Bill was once read and this afternoon assigned.

Mr. Hodgson, from the conferees on the disagreeing votes of the two Houses, in relation to the Bill to amend chapter 160 of the Revised Statutes, ("Grave Yard Bill") reported an amendment, so as to provide that the punishment may be by fine of \$3000 or imprisonment for the term of five years, and recommended that the bill as amended, be passed.

The report was laid on the table.

Mr. Perry, from the committee on the militia, reported legislation in expedient on the resolves relating to the war with Mexico and after some debate the subject was laid on the table.

Bill to amend the 160th chapter of the revised Statutes (Graveyard Bill) was called up, amended in accordance with the Report of the conferees, and passed to be engrossed.

Bill to change the rule of evidence in certain cases was called up. [This bill provides that when any action is brought on a promissory note given on demand, or on demand after a specified time, and payable at a specified place the plaintiff shall not recover unless he prove a demand made before the commencement of suit.]

The passage of the bill was opposed by Messrs. Bronson and Redington and supported Messrs. Allen and Thurston. The question was taken by yeas and nays, and the Bill passed to be engrossed—Yeas 20, Nays 3.

IN THE HOUSE. Bill to set off certain lands from Fryeburg had annex the same to Sweden was read the third time. Mr. Davis, of Stow, moved to refer the bill to the next Legislature. He gave the reasons why the town of Fryeburg objected to the division, stating that the persons to be set off would not take with them their proportion of the liabilities of the town. Mr. Thompson of Unity and Mr. Friend of Etta spoke against the motion to refer, and were replied to by Mr. Davis. Messrs. Munger, Treat, and Laversaler opposed the motion to refer which was lost—only a few members voting for it. The bill was then passed to be engrossed.

Bill to reduce the bounty on animals and pay of certain officers of the militia, was taken up. Mr. Farrar of Baileyville, Mr. Parker of Golden Ridge, and Mr. Hill of Moscow, spoke against the bill. Messrs. Chadwick, McLellan and Sturtevant spoke in favor. Mr. Farrar moved to strike out all that related to animals. The motion prevailed, 50 to 30. The bill was then passed to be engrossed.

Resolve in favor of Moses Hammond was recommended.

Finally passed—Bill to restrict the sale of intoxicating drinks.

IN SENATE.

TUESDAY, Aug. 4.

Bill restricting the sale of intoxicating drinks came up on its passage to be enacted, and the question being ordered to be taken by yeas and nays was decided, Yeas 15, Nays 6.

So the bill was passed, finally.

The President, agreeably to announcement this morning resigned his office as President of the Senate and on leaving the chair addressed the Senate as follows:

SENATORS:—This morning I announced that I should resign my office as President of this body, on the assembling of the Senate at its afternoon session, and I now resign that office. Your courtesies, Senators, towards each other, and your kindness to me, have rendered the duties I have been called upon to discharge neither burdens nor unpleasant.

I leave the office with no recollections to which it will not be grateful for me to recur. I leave it with feelings most respectful and friendly toward every Senator, and with the sincere desire for the well being and happiness of each and all with whom I have associated at this Board.

Mr. Allen was called to the chair, and presided during the election of President.

On motion of Mr. Bellamy, a committee consisting of three was appointed to receive, sort and count the votes for President. The ballots having been received, the Committee reported the whole number of votes 34. DAVID DEXTER had 18 and was declared duly elected, and on taking the chair addressed the Senate as follows:

SENATORS: I tender to you my most grateful acknowledgments for this expression of your kindness and confidence, and assure you that in the future I will always be cherished among the dearest recollections of my life.

I now enter on the discharge of the duties of office bespeaking your indulgence and asking your assistance.

Mr. Blossin after a few remarks highly complimentary to the manner in which the duties of the office had been discharged by Mr. Chase presented the following:

Resolved—That the thanks of the Senate be presented to the Hon. Stephen H. Chase, for the kind, impartial and able manner in which he has presided over the deliberations of this board, and that in his retirement he carries with him the esteem, approbation, and best wishes of every Senator, with the earnest hope that his public career thus far so honorable to himself, and gratifying to his friends, may continue to be upward and onward, unclouded by misfortune till life's great work is accomplished.

IN THE HOUSE. Mr. Friend of Etta, from the committee on Insane Hospital, reported a bill in addition to an act modifying the government of the Insane Hospital, which was read and tomorrow assigned.

MESSAGE.

The following message from the President, returning the River and Harbor Bill with objections, was sent to the House of Representatives on Monday.

To the House of Representatives:

I have considered the bill entitled "An act making appropriations for the improvement of certain harbors and rivers" with the care which its importance demands, and now return the same to the House of Representatives in which it originated, with my objections to its becoming a law. The bill proposes to appropriate one million three hundred and seventy-eight thousand four hundred and fifty dollars to be applied to more than fifty distinct and separate objects of improvement. On examining its provisions, and the variety of objects of improvement which it embraces, many of them of a local character, it is difficult to conceive, if it shall be sanctioned and become a law, what practical restraint can hereafter be imposed upon the most extended system of internal improvements by the federal government in all parts of the Union. The constitution has not, in my judgment, conferred upon the federal government the power to construct works of internal improvement within the States, or to appropriate money from the treasury for that purpose. That this bill assumes the right to exercise this power, I think, be doubted. The approved course of the government, and deliberately expressed judgment of the people, have denied the existence of such a power under the constitution. Several of my predecessors have denied its existence in the most solemn form.

The general proposition that the federal government does not possess this power is so well settled, and has for a considerable period been generally acquiesced in, that it is not deemed necessary to reiterate the arguments by which it is sustained. Nor do I deem it necessary after the full and elaborate discussions which have taken place before the country on this subject, to do more than state the general considerations which have satisfied me of the unconstitutionality and ineffectuality of the exercise of such a power.

It is not questioned that the federal government is one of limited powers. Its powers are such, and such only as are properly incident to the expressly granted powers, and necessary to their execution. In determining whether a given power has been granted, a sound rule of construction has been laid down by Mr. Madison. That rule is, that "whenever a question arises concerning a particular power, the first question is whether the power be expressed in the constitution. If it be, the question is decided. If it be not expressed, the next inquiry must be, whether it is properly an incident to an expressed power, and necessary to its execution. If it be, it may be exercised by Congress. If it be not, Congress cannot exercise it." It is not pretended that there is any expressed grant in the constitution conferring on Congress the power in question. It is then an incidental power, necessary and proper for the execution of any of the granted powers. All the granted powers, it is confidently affirmed, may be effectually executed without the aid of such an incident. A power to be incidental must not be exercised for purposes of which appropriations are now for the first time proposed. It will be found, also, that the bill contains appropriations for rivers, upon which there is not only no express grant, but which it is an incident.

It may be regarded by Congress as convenient, or that its exercise would advance the public weal. It must be necessary and proper to the execution of the principal power conferred on the federal government. The whole frame of the federal constitution proves that the government which it creates was intended to be one of limited and specified powers. A construction of the constitution so broad as that by which the power in question is extended, tends imperceptibly to a consolidation of power in a government intended by its framers to be thus limited in its authority.

The obvious tendency and inevitable result of a consolidation of the States into one sovereignty would be to transform the republican system of the United States into a monarchy. To guard against the reserved sovereignty of the States, and which consequently tends to consolidation, is the duty of all the true friends of our political system. That the power in question is not properly an incident to any of the granted powers, I am fully satisfied; but if there were doubts on this subject, experience has demonstrated the wisdom of the rule that all the functions of the federal government should abstain from the exercise of all questionable or doubtful powers. If an enlargement of the powers of the federal government should be deemed proper, it is safer and wiser to appeal to the States and the people in the mode prescribed by the constitution for the grant desired, than to assume its exercise without an amendment of the constitution. If Congress does not possess the general power to construct works of internal improvement within the States, or to appropriate money from the treasury for that purpose, what is there to exempt some, at least, of the objects of appropriation included in this bill from the operation of the general rule? This bill assumes the existence of the power, and in some of its provisions asserts the principle, that Congress may exercise it as fully as though the appropriations which it proposes were applicable to the construction of roads and canals. If there be a distinction in principle, it is not prevented, and should be clearly defined. Some of the objects of appropriation contained in this bill are local in their character, lie within the limits of a single State; and though, in the language of the bill, they are called harbors, they are not connected with foreign commerce, nor are they places of refuge or shelter for our navy, or commercial marine on the ocean or lake shores. To call the mouth of a creek, or a shallow inlet on our coast, a harbor, is to confer the authority to expend the public money in its improvement. Congress have exercised the power over the construction, of establishing light-houses, buoys, and piers on our ocean and lake shores, for the purpose of rendering navigation safe and easy, and of affording protection and shelter for our navy and other shipping. These are safeguards placed in existing channels of navigation. After the long acquiescence of the government through all preceding administrations, I am not disposed to question or disturb the authority to make appropriations for such purposes.

When we advance a step beyond this point, and in addition to the establishment and support of appropriations from the treasury, of light-houses, beacons, buoys, piers and other improvements within the bays, inlets and harbors on our ocean and lake coasts immediately connected with our foreign commerce, and attempt to make improvements in the interior at points unconnected with foreign commerce, and where they are not needed for the protection and security of our navy and commercial marine, the difficulty arises in drawing a line beyond which appropriations may not be made by the federal government.

One of my predecessors, who saw the evil consequences of the system proposed to be revived by this bill, attempted to define this line by declaring that, "expenditures of this character" should be "confined below the point of entry or delivery established by law." Acting on this restriction he withheld his sanction from a bill which had passed Congress "to improve the navigation of the Walcott river." He was at the same time "sensible that this restriction was not as salutary as could be desired, and that much embarrassment may be caused to the executive department in its execution, by appropriations for remote and not well understood objects."

This restriction, it is soon found, was subject to be evaded, and rendered comparatively useless in checking the system of improvements which it was designed to arrest, in consequence of the facility with which ports of entry and delivery may be established by law upon the upper waters, and in some instances, almost at the head springs of some of the most important of our rivers, and it points on our coast possessing no commercial importance, and not used as places of refuge and safety by our navy, and other shipping. Many of the ports of entry and delivery now authorized by law, so far as foreign commerce is concerned, exist only in the state of nature. No entry of foreign goods is ever made, and no duties are ever collected at them. No exports of American products bound for foreign countries, ever clear for them. To assume that their existence in the statute-book as ports of entry on delivery warrant expenditures on the waters leading to them, which would be otherwise unauthorized, would be to assert the proposition, that the law-making power may create new provisions in the constitution. If the restriction to a sound one, it can only apply to the bays, inlets, and rivers connected with or leading to each port as actually have foreign commerce, ports at which foreign importations are received in bulk, paying the duties charged by law, and from which exports are made to foreign countries. It will be found by applying the restriction thus understood, to the bill under consideration, that it contains appropriations for more than twenty objects of internal improvement, called in the bill harbors, at places which have never been declared by law either ports of entry or delivery, and at which, as appears from the records of the treasury, there has never been an arrival of foreign merchandise, and from the date of the wisdom, under such circumstances, to husband our means, and not to waste them in comparatively unimportant objects, so that we may reduce the loan or issue of treasury notes.

It would seem to be wise too, to abstain from such expenditures with a view to the accumulation of a large public debt, the existence of which would be opposed to the genius of our free institutions.

Should this bill become a law, the principle which it establishes will inevitably lead to future and annually increasing appropriations and drains upon the treasury, for it is not to be doubted that numerous other localities not embraced in its provisions, but quite as much entitled to the favor of the government as those which are embraced, will demand, through their representatives in Congress, to be placed on an equal footing with them. With such an increase of expenditure must necessarily follow an increased public debt, to supply the treasury with the means of meeting the accumulated demands upon it.

With profound respect for the opinions of Congress, and ever anxious, as far as I can consistently with my responsibility to our common constituents, to co-operate with them in the discharge of our respective duties, it is with unfeigned regret that I find myself constrained, for the reasons which I have assigned, to withhold my approval from this bill.

JAMES K. POLK.
WASHINGTON, Aug. 3d, 1846.

OXFORD DEMOCRAT.
PARIS, AUGUST 11, 1846.
ELECTION—MONDAY SEPTEMBER 11.
Democratic Republican Nomination.
FOR GOVERNOR,
JOHN W. DANA.
Congressional Convention.

The Democratic Republican of the Town and Plantations in the Oxford portion of the 1st Congressional District are requested to meet in Convention, by their Delegates, at LOVELL VILLAGE, on Tuesday, the Eleventh day of August next, at ten o'clock A. M. to select a candidate to be supported by the Democracy and Plantations having City Democratic votes, or less number, well and one Delegate over every fifty and less than one hundred and twenty-five, two over one hundred and twenty-five and less than two hundred and fifty, three over two hundred and fifty, four.

Per Order of the Committee.
July 17, 1846.

Oxford Senatorial, County, and District Conventions.

A Convention of the Democratic Republican of Oxford Senatorial District will be held, by their Delegates, at the COURT HOUSE in PARIS, on Thursday, the Twentieth day of August next, at ten o'clock A. M. for the purpose of selecting three candidates for the State Senate to be supported at the ensuing election.

Also a Convention of the Democratic Republican of the County of Oxford will be held on the same day and at the same place, at two o'clock P. M. for the purpose of selecting candidates for the several County Offices that are to be elected by the people.

Also a Convention of the Democratic Republican of the Eastern Registry District will be held on the same day and at the same place, at three o'clock P. M. for the purpose of selecting a candidate for Register of Deeds in said District.

Also at the same time and place to nominate a candidate for Register of Deeds in the Western District of said County.

All Town and Plantations which give City Democratic votes, or less number, well and one Delegate over every fifty and less than one hundred and twenty-five, two over one hundred and twenty-five and less than two hundred and fifty, three over two hundred and fifty, four.

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First effects of the Tariff of 1846.—The day after the receipt of the news at Boston of the passage of the Tariff, the manufacturers put down the price of their goods from five to ten per cent. At the time this reduction was made, the agents of the Lowell companies stated that they did not fear foreign competition under the new laws.

What do demagogues and panic makers think of this admission? "No fear of foreign competition?" Then why this hue and cry of ruin and peril? Is it because they expect to frighten the people, and thus bring about their predictions of distress? If so, they will be most essentially disappointed.

Folly.—A number of persons in Philadelphia, calling themselves "Native Americans," burned George M. Dallas in effigy a few days ago, because he had the independence and patriotism to vote as his conscience dictated and the interests of his country required. Such an ebullition of spleen is in perfect keeping with their church burnings and other riotous conduct, and would be counted at as too mean and contemptible by the most ignorant foreigner. Why don't they hang themselves and thus put an end to their chagrin, and rid the country at the same time of so much meanness.

Major Noah, a Whig, thus, in a few pointed words, disposes of the new Tariff:—

"It is a very high Tariff, as it stands—very high; thirty and forty per cent. on a majority of articles.—There is no free trade in this kind of protection, and the manufacturers may well say:—'We are glad it is no worse.'"

Whig tribulations.—The panic making efforts of the Whigs, if not laudable, are extremely energetic.—Job's lamentations cannot be compared with the dolorous and saturnine lacerations of the Whig editors over the Tariff. We should judge, by the great number of the laments, that hypochondria prevailed to a great extent among the so-called protectionists.

The "Dear People."—At this present time the Federalists profess to have a most intimate love for the poor classes. An evidence of how much love these gentlemen feel for the operative was recently given by the Legislature of New Hampshire. A proposition was made for giving the laborers in cotton factories "one hour for dinner," but it was rejected on the ground (offered by a Federal member, that "if these men have a leisure of fifteen minutes, they will be wandering about the town?" And so the "fifteen minutes" were not allowed them for fear the delicate nerves of the Federal capitalists should be shocked by meeting the operatives in the streets.

A much needed Reform.—It is now unquestioned say the Washington letter writers, that a majority of the board of Naval Officers, recently convened at Washington, have coincided with the views of Mr. Bancroft in changing the system of promotion in the service from the established mode of seniority to one of "merit," to be determined by the Secretary of the Navy. There are now several vacancies in the grade of Post Captain, the highest known to our service, which it is supposed will be filled by the new principle of promotion.

Turing Clergymen's Salaries.—A case was recently tried in Virginia to impose a fine on a clergyman for refusing to declare the amount of his salary. It was contended that it was a tax on religion, that the salary was uncertain, and could not be reasonably taxed, and therefore could not be taxed. The Court held that the salaries of clergymen are liable to be taxed like other sources of income, and gave judgment for the fine.

The question of protection.—Mr. Webster in 1813 "has already used to such a degree with questions of a supposed local interest, with political questions and struggles for local power, that it has not been suffered to be at rest on any basis. It has had no repose, and thus a great evil." This "great evil" the Whigs are about repeating, in raising the cry of repeal and restoration; the repeal of the Tariff of 1816, and the restoration of the Tariff of 1812.

Michael.—It appears by the Portland Advertiser that the fishermen are doing a good business off Cape Elizabeth. Some seventy-five or one hundred sail have been engaged there for several days.

The Cholera has extended to Aden in Arabia, at the mouth of the Red Sea, where four hundred persons had died of it up to the beginning of June. The disease is probably extending to the European and African frontiers, and is much more fatal than in 1817 and 1818, being in the form of cholera, which almost defies remedial measures.

Hail Storm.—A severe shower, accompanied with wind and hail, passed over this town and Newbury on Thursday afternoon last. It was very destructive to glass, and injured the crops to some extent. At South Paris village, we are informed, a thousand panes, at least, of glass were broken from the windows of the dwellings, shops, &c. How far the storm extended we have not learned. We were informed, however, that considerable damage was done to buildings in Mard and New Gloucester.

The Independent Treasury Bill has passed the U. S. Senate by a vote of 28 to 25, and doubtless, has received the signature of the President, and become a law of the land.

The following gentlemen have been elected directors of the Atlantic and St. Lawrence Rail Road for the ensuing year, at a meeting held at Portland on the 4th inst.—Wm. P. Preble, John Anderson, St. John Smith, Daphalet Greely, Thomas Hammond, Ezra P. Beal, John A. Poor, Joseph S. Little, J. B. Brown, J. L. Turner, W. P. Fessenden, John Mussey.

A bill to remit the duties on Rail Road Iron has passed the U. S. Senate. Also, the West Point Appropriation Bill, a bill for the admission of Wisconsin into the Union, and the Credit Extension Bill.

A good Toast.—Henry Smith, the Razor Strop Man, attended a public dinner, held at Charlottesville, Va., on the 21st of February, the day before the anniversary of Washington's birth-day, and gave the following toast:—

"To-morrow, the best day in the week, the birthday of Washington, a man so truly great, that our only regret is, that there are not a few more left of the same sort."

He was in New Haven a short time since, when a man got angry with and called him a fool. "Well," said he, "if I am, there's one more left of the same sort!"

The town of Manchester, N. H., has voted to accept the charter for a city government, granted by the N. H. Legislature. It is the only city in that State.

Those who take every pointed remark as intended for them, are generally most worthy of them. The reason is, they know better than others what they deserve.

Somebody has said—"The Devil tempts industrious people, and idle people tempt the Devil." Every word true; and the Devil will not resist idle people much as he has a penchant for mischief; so, loafers, refuse and not tempt the "old one" unnecessarily.—He has sins enough to answer for already.

Charles T. Turvey, who died in Baltimore recently, and concerning whose imprisonment and death the abolition and neutral papers endeavored for a long time to manufacture a false sympathy, admitted, before he died, that he had aided in the escape of nearly four hundred slaves from their masters.

Mission of Peace to Mexico.—It is rumored that the President has sent to the Senate a message asking advice as to the propriety of sending a peace Commissioner to Mexico.

The Long Islanders are having a great time with trials for violations of the license law. In most of the cases the Jury will not agree.

The Bible has been translated into, and is now printed or written in, one hundred and fifty languages.

Small Pox.—It is reported that this loathsome disease is quite prevalent in Portland at the present time.

From Mexico.—A correspondent of the Moho Herald, writing from Puebla, under date of July 25th, furnishes the following in the way of news.—On the 21st ult., the U. S. Frigate, Raritan, Com. Gregory, arrived at Puebla from Vera Cruz, bringing two days later news. The Vera Cruz papers of the 15th and 16th publish the news of the Onega treaty, under the head of very important news. The papers say that in consequence of the treaty, the Mexican people are called upon to make immediate efforts to save their country from the robbers of the Del Norte. They found the Mexicans of the manner in which the French were driven out of Spain, after Madrid and the cities of the country were in possession of the enemy. This was done by guerrilla warfare, in which small parties of the enemy were murdered where they were found. Paroles had not left the city of Mexico. It was found impossible to raise a body of even five thousand to follow him, while it is the opinion of well informed men that there is nothing to prevent Gen. Taylor from marching directly to the city of Mexico. There are no troops to oppose him. Gen. Morelos, the commander of the castle and city of Vera Cruz, who has succeeded the Vice President Bravo has entered upon his duties. He has a body of several hundred men at work every day on the low sand beach adjoining the castle, where he is throwing up additional breastworks. About seven hundred are engaged at target firing. The guns are mostly of large calibre, and throw shot to a great distance. The American squadron is anchored under great island. The opinion of Gen. Gaines is that the castle can only be taken by escalade or by storm, and Jack calls it; this the Mexicans are eager to undertake. The Barracks were arrived at Vera Cruz on the 14th, without much delay, and the last returned now say there is no probability of his coming there at all. The yellow fever is making great havoc among the troops, both in the castle and in the city. The soldiers being mostly from the interior, are not accustomed to the climate, and therefore suffer in health very severely. Vera Cruz could easily be taken with two or three thousand men who could hold either north or south of it. At present the city is nearly deserted. Excellent health prevails throughout the squadron. The high to Raritan alone employed on board which vessel the scurvy prevails to a great extent; this is traced by the length of time this vessel has been in port. She has been two years and six months in commission, and all this time has been passed in the tropics and under a hot sun. She went to Panama from the coast of Brazil, where she passed much time in observing the fish catching operations of the natives, and was, of course, unable to obtain fresh provisions for her crew. Of the large number who have been sick on board she has not been a death.

Cherry Valley, Ontario Co., N. Y., Oct. 4, 1845.
Mrs W. Fowler—Dear Sir:—Gratitude alone prompts me to make the following communication, which I should like to have published in the world. I have been afflicted for the last five years with a severe pain in the side, attended with a hacking cough and night sweats, so that I have not been able to do any work during all that time. I have been attended by three of the most respectable physicians in our vicinity, but obtained no relief. As a last resort I was induced to try

Wistar's Balsam of Wild Cherry.
I used three bottles, and with entire success. I feel that I am restored, and once more rejoice in perfect health.

Signed, JOHN FERNS.

MARRIED.

In Ogleburg, N. Y. Mr. Alfred H. Case, aged 18, and Miss Charlotte Thompson, aged 16. Every one to their own taste. Mr. Case, and when she has the Case. Probably the boy has lost his grandmother and was in a state of another.

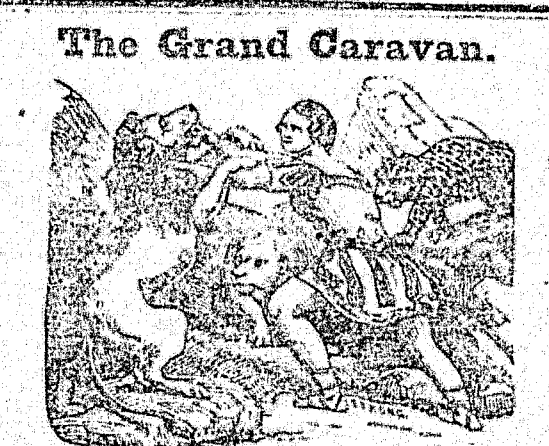
DIED.

In Norway Village, 4th inst. Mrs. Sarah Root, widow of the late Henry Root, formerly of Salem, Mass. aged 83 years.

In Turner, Edmund Thompson, aged 68.—William Walker, formerly of Turner, died on the 1st inst. aged 42.

THOMAS J. CHEW, late of the U. S. Navy, died at Brooklyn a day or two since, in the 70th year of his age. Mr. Chew was the person to whom Lawrence uttered the words, "Don't give up the ship." Chew fought with great gallantry in several naval battles in the war of 1812. He was on the deck of the Constitution in the memorable fight with Gouvier, and contributed to the capture of that ship. At the time of his decease, he held the office of purser in the navy.

NEUTRAL FAIRNESS. The Yankee Blade, a professionally neutral paper in politics, publishes the statements of Mr. Paine of Bangor in relation to the election of United States Senator, but omits entirely to even allude to the statements of the committee who counted the votes, which would have set the whole matter right. This is not the first time that the neutral editor of this paper has let out his unadulterated federal affections. Of all federal politicians, save from those who sail under a flag of neutrality.—Age.



TRIUMPHAL ENTRANCE AND EXHIBITION IN THIS TOWN, OF THE YAST AND MAGNIFICENT VAN AMBURGH'S COLLECTION OF TRAINED ANIMALS!!
Preceded by the New and Colossal ROMAN CHARIOT,
Constructed after the model of the ancient chariots of the Roman Emperors, in the most costly and gorgeous style of workmanship, being 20 feet in length by 17 feet in height.
Drawn by Eight Flemish Horses, of Prodigious Size and Weight,
And containing Several Famous American BRASS BAND.
THE PROCESSION, consisting of 100 Horses and 50 Carriages, will enter this Village on
Wednesday, August 26th,
At 11 o'clock A. M.

Where this unprecedented display of Wild Beasts and the performance of Mr. Van Amburgh, for the first time in this town, will be exhibited
FOR ONE DAY ONLY.
The following is a list of the animals contained in this Exhibition:—African Lion and Lioness—four young Asiatic Lions—Asian Elephant, young Elephants two Arabian Camels—two Calcutta Leopards—two African Leopards—two Hunting Leopards—Puma Bear—two Missouri Bears—Royal Tiger—White Polar Bear—Doe and her young—black Swan—Pheasant—pair of Kangaroos—Gnu or Horned Horse—Lion of South Africa—three specimens of American Deer—Queen's Stag—presented to Van Amburgh by Queen Victoria, the African Zebra—Striped Hyena—Spotted Hyena—two White Swans—Gold and Silver Pheasants—a large African Booby, and several other Animals and Apes. It is proper to remark that the above named animals have never been exhibited in America, having recently been selected from the National Museum of the old world—the Zoological Society of London, and the Jardine and Sons of Paris.
Time of Exhibition will be between the hours of 10 and 4 P. M. Admission, 25 cents. Children under nine years, half price.
July 5, 1846

Wanted.
In payment of arrears for the Democrat, Advertising, &c.

\$1000

PROBATE NOTICES.

At a Court of Probate, held at Fryeburg, within and for the county of Oxford, on the third day of August, in the year of our Lord eight hundred and forty-six.

JOHN TOWLE, Administrator of the Estate of Daniel Clement, late of Fryeburg, deceased, gave notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat, printed at Paris, in said county, that they may appear at a Probate Court to be held at Fryeburg, on Thursday following the first Tuesday of January next, at ten of the clock in the forenoon, and show cause, if any they have, why the said Testament of said deceased should not be proved, approved, and allowed as the last Will and Testament of said deceased.

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THE subscriber hereby gives public notice to all concerned, that he has been duly appointed and taken upon himself the trust of Administrator of the Estate of

SAMUEL TUCKER,

late of Buckfield, in the County of Oxford, deceased, by giving bond to the law direct.—He therefore requests all persons who are indebted to the said deceased's estate, to make immediate payment; and those who have any demands thereon, to exhibit the same to August 3, 1846.

Treasurer's Notice.—Denmark.

NOTICE is hereby given to non-resident proprietors and owners of land and other real estate in the town of Denmark, County of Oxford, and State of Maine, that the same are taxed in the bills assessed June seventeenth, 1845, which were committed to me to collect for the year A. D. 1845, by the assessors of said town of Denmark, in the following sums, which remain unpaid, viz:

Non-Resident Owners of Real Estate.

No. of Lot.	Range.	No. of Acres.	Value.	Delinquency of highway tax.	Amount of Tax.	Total.
Owner unk., formerly Hadley & Berry, 1 house, 1 barn, and 1 stable.	unk. unk.	480	360	30	390	390
Richard Davis, 32 "	32	70	300	25	325	325
Edgar Danforth, pt. 33 "	33	50	150	12	162	162
Joseph Holman, 4 "	4	100	120	0	120	120
of Pls. Mountain, unk. unk.	unk. unk.	600	120	0	120	120
Jas. B. Perkins, pt. 30 "	30	90	200	150	150	150
John Pike, Cornish, pt. Dragon Meadow, 10 "	10	100	120	0	120	120
David Potter, 10 "	10	100	120	0	120	1

